

**US ARMY CORPS  
OF ENGINEERS**

**NEW YORK DISTRICT**

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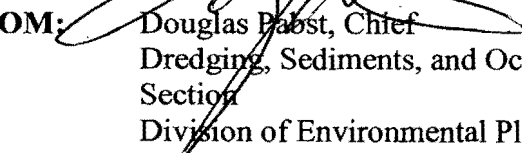
**REGION 2**


290 Broadway  
New York, NY 10007-1866  
ATTN: Dredging, Sediments  
and Oceans Section

June 6, 2013

**MEMO FOR THE RECORD**

**SUBJECT:** Review of Compliance with the Testing Requirements of 40 CFR 227.6 and 227.27, and Site Designation Provisions of 40 CFR 228.15 for the New York City Economic Development Corporation, Manhattan Cruise Terminal, New York, New York

**FROM:**  Douglas Babst, Chief  
Dredging, Sediments, and Oceans  
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**I. SUMMARY**

This memorandum provides comprehensive review and analysis of the New York City Economic Development Corporation, Manhattan Cruise Terminal sediment test results. This memorandum addresses compliance with the regulatory testing criteria of 40 CFR Sections 227.6 and 227.27, and the requirements of the rule establishing the Historic Area Remediation Site (HARS) set out in Section 228.15(d)(6). These requirements hereinafter are referred to as the "Regulations."

As discussed in the HARS rulemaking preamble (See 62 Fed. Reg. 46142 (August 29, 1997) and 62 Fed. Reg. 26267 (May 13, 1997)) and its accompanying documentation, the need to remediate the Historic Area Remediation Site is amply supported by the presence in the HARS of toxic effects, dioxin bioaccumulation exceeding Category I levels in worm tissue, as well as TCDD/PCB contamination in area lobster stocks. Individual elements of the aforementioned